

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TEXTRON INNOVATIONS INC.,)	
)	
Plaintiff,)	C. A. No. 05-486 (GMS)
)	
v.)	JURY TRIAL DEMANDED
)	
THE TORO COMPANY,)	PUBLIC VERSION
)	
Defendant.)	

APPENDIX TO TORO'S MOTIONS IN LIMINE 1-5

OF COUNSEL:

Earl D. Reiland
Anthony R. Zeuli
Thomas R. Johnson
Thomas J. Leach
MERCHANT & GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402
Tel: (612) 332-5300

Richard L. Horwitz
David E. Moore
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com


*Attorneys for Defendant
The Toro Company*

Dated: April 9, 2007
Public Version Dated: April 17, 2007
789624 / 29362

TABLE OF CONTENTS

TAB

Plaintiff's Objections and Answers to Defendant's First Set of Interrogatories dated 02/06/06.....	1
Plaintiff's Claim Chart - 04/03/06.....	2
Letter to Chris Campbell from Tony Zeuli dated 04/19/06	3
Letter to Tony Zeuli from Chris Campbell dated 05/05/06	4
Letter to Chris Campbell from Keith Sorge dated 06/23/06.....	5
Plaintiff's First Supplemental Answers to Defendant's First Set of Interrogatories dated 07/17/06.....	6
Deposition transcript of David Price dated 08/31/06.....	7
.....	8
.....	9
.....	10
Deposition transcript of Randal Knurr dated 11/15/06.....	11
Amended Notice of Videotaped Deposition and Request for Designations of Persons to Testify Under Fed.R.Civ.P. 30(b)(6) dated 9/29/06	12
Plaintiff's Objections to Defendant's Amended Notice of Rule 30(b)(6) Deposition dated 10/04/06	13
Order Construing the Terms of U.S. Patent Nos. 6,047,530; 6,336,311; and 6,336,312 dated 10/20/06.....	14
Plaintiff's Second Supplemental Answers to Defendant's First Set of Interrogatories dated 09/15/06	15
.....	16
Deposition transcript of Tom Middlesworth dated 02/27/07.....	17
Deposition transcript of John Nunes dated 03/14/07	18

Deposition transcript of Mark Wegner dated 02/26/07	19
Plaintiff's Third Supplemental Answers to Defendant's First Set of Interrogatories dated 02/27/07	20
Amended Initial Disclosures of Plaintiff Textron Innovations Inc. Pursuant to Fed.R.Civ.P.26(a)(1) dated 02/27/07	21
[Proposed] Scheduling Order dated 02/06/06	22
Tammy Wright v. Timothy J. Touhy - 2003 U.S. Dist. LEXIS 19167	23
Letter to Honorable Gregory Sleet from Richard Horwitz dted 12/07/06	24
	25
Expert Report of Harry F. Manbeck, Jr. dated 01/26/07	26
Revlon Consumer Products Corporation v. L'Oreal S.A., Cosmair, Inc., Maybelline, Inc. and Maybelline Sales, Inc. - 1997 U.S. Dist LEXIS 4117	27
Rebuttal Report of Harry F. Manbeck, Jr.	28
Defendant's First Set of Requests for Production of Documents and things to Plaintiff dated 01/06/06	29
Toro's Prior Art Statement	30
Letter to David Young from Thomas Leach dated 09/21/06	31
Letter to David Young from Tony Zeuli dated 10/31/06	32
Letter to Scott Robertson from Tony Zeuli dated 11/03/06	33
Letter to Scott Robertson from Tony Zeuli dated 12/20/06	34
Letter to Scott Robertson from Tony Zeuli dated 01/05/07	35
Telephone Conference Transcript dated 11/09/06	36
Telephone Conference Transcript dated 01/11/07	37
Plaintiff Textron Innovations, Inc.'s Objections and Responses to Second Set of Requests for Production of Documents and Things dated 10/23/06	38

Plaintiff Textron Innovations Inc.'s Objections to Defendant The Toro Company's Second Set of Interrogatories dated 01/19/07	39
Bob Krick - Europe 9/95 - CHD 013064	40
.....	41
Letter to Chris Campbell from Thomas Leach dated 01/12/07	42
Deposition Transcript of David Crawforth dated 11/28/06	43
Statement of Richard Garwood dated 02/02/07	44
Letter to Scott Robertson from Tony Zeuli dated 02/09/07	45
Letter to Scott Robertson from Tony Zeuli dated 02/19/07	46
Letter to Honorable Gregory Sleet from David Moore dated 02/23/07	47
.....	48
Photos of Risboro Turf.....	49
Photos of Risboro Turf.....	50
Intentionally Left Blank	51
Email to Edmond Johnson from David Moore dated 02/12/07	52
Email to David Moore from Edmond Johnson dated 02/14/07	53
.....	54
.....	55
.....	56
.....	57
.....	58
Marking Chart.....	59
Oreck Holdings, L.L.C. v. Minuteman International, Inc. - 2003 U.S. Dist. LEXIS 20114	60

.....	61
Notice of Recordation and Assignment	62
.....	63
U.S. Patent No. 6,047,530.....	64
U.S. Patent No. 6,336,311.....	65
U.S. Patent No. 6,336,312.....	66
Letter to Honorable Gregory Sleet from Peter Ladig dated 12/07/06	67
U.S. Patent No. 6,470,663.....	68
U.S. Patent No. 6,484,481.....	69

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Earl D. Reiland
Anthony R. Zeuli
Thomas R. Johnson
Thomas J. Leach
MERCHANT & GOULD P.C.
3200 IDS Center
80 South 8th Street
Minneapolis, MN 55402
Tel: (612) 332-5300

By: /s/ David E. Moore
Richard L. Horwitz
David E. Moore
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19801
Tel: (302) 984-6000
rhowitz@potteranderson.com
dmoore@potteranderson.com

Dated: April 9, 2007

Public Version Dated: April 17, 2007
789624 / 29362

Attorneys for Defendant The Toro Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on April 17, 2007, the attached document was electronically mailed and hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

Edmond D. Johnson
Thomas H. Kovach
Pepper Hamilton LLP
Hercules Plaza, Suite 5100
1313 North Market Street
Wilmington, DE 19899-1709
Johnsone@pepperlaw.com
kovacht@pepperlaw.com

I hereby certify that on April 17, 2007, I have Electronically Mailed and Federal Expressed the documents to the following:

Christopher C. Campbell
Hunton & Williams LLP
1900 K Street, N.W.
Washington, DC 20006-1109
srobertson@hunton.com
ccampbell@hunton.com
mlouey@hunton.com
lmarlatt@hunton.com
fmckeon@hunton.com
dmckim@hunton.com
jalbert@hunton.com
rking@hunton.com

David Young
Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102
mpphelps@hunton.com
dyoung@hunton.com

Kurt Niederluecke
Fredrikson & Byron, P.A.
200 South Sixth Street
Suite 4000
Minneapolis, MN 55402
kniederluecke@fredlaw.com

By: /s/ David E. Moore
Richard L. Horwitz
David E. Moore
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, Delaware 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com